

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

EQUITY BANK, SSB,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION NO. 06-0460-CG-B
)	
CHAPEL OF PRAISE A.L.D.C.M.,)	
INC., et al.,)	
)	
Defendants.)	

FINAL JUDGMENT

In accordance with the Order dated September 27, 2007 (Doc.74), final judgment is entered as follows:

1. A monetary judgment is hereby entered on the promissory note dated December 2, 2003, secured by the mortgage on property located at 5413 Lott Rd., Eight Mile, Alabama, in favor of Equity Bank, SSB, ("Equity Bank"), and against Chapel of Praise A.L.D.C.M., Inc., a/k/a Chapel of Praise, Inc., in the amount of \$466,945.15, plus post judgment interest. The court retains jurisdiction to award attorney's fees.

2. Judgment is granted to Equity Bank to foreclose its mortgage on the Lott Road property recorded at Real Property book 5509, Page 973 and subsequently assigned to Plaintiff by assignment recorded at Real Property Book 5905, Page 137 in the Probate Court of Mobile County, Alabama. The United States Marshal's Office shall publish the attached notice of sale in the Mobile *Press-Register* for three consecutive weeks and conduct the sale in accordance with the terms of the notice of sale, the terms of which are incorporated herein by reference. The U.S. Marshal's Office shall deliver a foreclosure deed to the successful bidder upon payment of the bid price and delivery in certified funds payable to the Clerk of Court. Equity Bank is

responsible for payment of the expenses associated with the foreclosure sale. If Equity Bank is the successful bidder, Equity Bank's bid price shall constitute a credit against the monetary judgment entered against Chapel of Praise as set forth in paragraph one above, and the U.S. Marshal's Office shall deliver a foreclosure deed to Equity Bank.

3. Equity Bank's mortgage encumbering the Lott Road property recorded in Mobile County Real Property Book 5509, Page 973, assigned to Equity Bank by Assignment of Note, Mortgage and Loan Documents recorded in Mobile County Real Property Book 5905, Page 137, constitutes a first priority mortgage lien in the amount of \$352,457.20. The United States Small Business Administration holds a second mortgage on the property which is recorded in Mobile County Real Property Book 5479, Page 1865.

The court retains jurisdiction to enforce the terms of this final judgment.

DONE and **ORDERED** this 10th day of October, 2007.

/s/ Callie V. S. Granade
CHIEF UNITED STATES DISTRICT JUDGE